THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 26603 of 2006

Dated: 22.12.2006

Between:

P.B. Fakruddin, S/o Rayudu, aged about 54 years, Occ: Junior Assistant (F), E.56710, Kadapa Depot, R/o Kadapa and another.

.... PETITIONERS

AND

A.P.S.R.T.C., rep. by its Managing Director, Musheerabad, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 26603 of 2006

Order:

The petitioners 1 and 2 state that as against the punishment orders dated 18.09.2006, passed by the 3rd respondent-Divisional Manager, ordering to recover an amount of Rs.12,828/- and Rs.18,954/- from their salaries in 15 and 20 instalments respectively towards pecuniary loss caused to the Corporation and reducing their annual increments by one and two incremental stages respectively with cumulative effect, they preferred separate appeals before the 2nd respondent-Executive Director (C & N), and the 2nd respondent-Executive Director (C & N), by proceedings dated 18.11.2006, rejected the appeal filed by the 1st petitioner, whereas the appeal filed by the 2nd petitioner was partly allowed modifying the punishment to that of deferment of one annual increment with cumulative effect, and confirming the order of recovery of amount. Aggrieved by the said orders, they filed review petitions before the 1st respondent-Managing Director on 15.12.2006 and requested him to suspend the operation of the punishment orders passed by the respondents 2 and 3, but so far no orders have been passed. Hence, they filed the present writ petition.

Heard the learned counsel for the petitioners and the learned Standing Counsel for the respondents-APSRTC.

The main contention advanced by the learned counsel for the petitioners is that the respondents-Corporation, without considering the review petitions filed by the petitioners, are proceeding to implement the orders of punishment including the recovery of amount from the salaries of the petitioners. He, thus, sought permission of this Court to move

appropriate applications before the 1st respondent-Managing Director for stay of the punishment orders passed by the respondents 2 and 3. Learned Standing Counsel for the respondents-APSRTC expressed no objection for the same.

Having regard to the facts and circumstances of the case, and in view of the agreed stand taken by both the counsel, I deem it appropriate to dispose of the writ petition with the following directions:

The petitioners are at liberty to move appropriate applications before the 1st respondent-Managing Director seeking stay of the punishment orders passed by the respondents 2 and 3, and on such applications being filed, the 1st respondent-Managing Director shall consider the same and pass appropriate orders thereon in accordance with law, expeditiously, preferably within a period of two weeks from the date of receipt of said applications.

Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 22.12.2006
Note:
Issue CC by Tuesday.
(B/O)
NSR/ISL